



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/988,805  
Applicant : GEISTHICH  
Filed : November 20, 2001  
TC/A.U. : 1617  
Examiner : E. Webman  
Confirmation No. : 8892

Docket No. : 1194-199  
Customer No. : 6449

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**TRANSMITTAL OF TERMINAL DISCLAIMER**

Sir:

Applicant submits herewith a Terminal Disclaimer to Obviate a Double Patenting Rejection Over A Prior Patent.

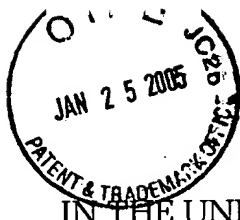
Please charge the required fee of \$130.00 to deposit account no. 02-2135. An extra copy of this letter is attached.

Respectfully submitted,

By

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George R. Repper  
*Attorney for Applicants*  
Registration No. 31,414  
ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202)783-6040



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Docket No. : 1194-199  
Customer No. : 06449  
Confirmation No. : 8892

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The owner, Ed. Geistlich Soehne AG fuer chemische Industrie, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,326,029. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed

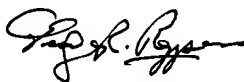
under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

Respectfully submitted,

By



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George R. Repper  
Attorney for Applicants  
Registration No. 31,414  
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Telephone: (202)783-6040

1677/81

<b>FEE TRANSMITTAL</b> for FY 2005 (Small Entity)		Complete if Known	
		Application Number	09/988,805
		Filing Date	November 20, 2001
		First Named Inventor	GEISTLICH
		Examiner Name	E. Webman
		Group Art Unit	1617
<input checked="" type="checkbox"/> Applicant claims small entity status	Attorney Docket Number	1194-199	
Total Amount of Payment	(\$130.00)	Confirmation Number	8892

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge the fees indicated below or credit overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☐ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.
2. ☐ Payment by check enclosed

**FEE CALCULATION**

**1. FILING, SEARCH AND EXAMINATION FEES**

Code	Fee	Fee Description	Fee Paid
1001	150	Utility Filing Fee	[ ]
1111	250	Utility Search Fee	[ ]
1311	100	Utility Examination Fee	[ ]
1002	100	Design Filing Fee	[ ]
1112	50	Design Search Fee	[ ]
1312	65	Design Examination Fee	[ ]
1003	100	Plant Filing Fee	[ ]
1113	150	Plant Search Fee	[ ]
1313	80	Plant Examination Fee	[ ]
1004	150	Reissue Filing Fee	[ ]
1114	250	Reissue Search Filing Fee	[ ]
1314	300	Reissue Examination Fee	[ ]
1005	100	Provisional Filing Fee	[ ]

**SUBTOTAL \$**

**2. CLAIMS**

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[ ] - 20*	[ ]	[ ]	[ ]	\$25	[ ]
[ ] - 3*	[ ]	[ ]	[ ]	100	[ ]
[ ]	[ ]	[ ]	[ ]	180	[ ]

\*or number previously paid, if greater

**SUBTOTAL \$**

**3. APPLICATION SIZE FEE**

Total Sheets [ ] - 100 = [ ] /50 = [ ] \*\* x \$125  
 = \*\* Number of each additional 50 or fraction thereof

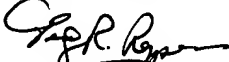
**SUBTOTAL \$**

**FEE CALCULATION (continued)**

**4. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	65	Surcharge - late filing fee or oath	[ ]
1052	50	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840	Requesting publication of SIR after Examiner action (reduced by basic filing fee paid)	[ ]
1251	60	Extension for reply within first month	[ ]
1252	225	Extension for reply within second month	[ ]
1253	510	Extension for reply within third month	[ ]
1254	795	Extension for reply within fourth month	[ ]
1255	1,080	Extension for reply within fifth month	[ ]
1401	250	Notice of Appeal	[ ]
1402	250	Filing a brief in support of an appeal	[ ]
1403	500	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
1452	500	Petition to revive - unavoidable	[ ]
1453	1,500	Petition to revive - unintentional	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
1809	790	Filing a submission after final rejection (37 CFR 1.129(a))	[ ]
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
1801	790	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
1814	130	Statutory Disclaimer	[130]
Other fee (specify)			[ ]

**SUBTOTAL \$130.00**

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	George R. Repper, Reg. No. 31,414				
SIGNATURE		DATE	January 25, 2005	DEPOSIT ACCOUNT USER ID	XXX